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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,829

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Marko Schuba

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EXAMINER

DOAN, TRANG T

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,829	<b>Applicant(s)</b> SCHUBA, MARKO	
	<b>Examiner</b> TRANG DOAN	<b>Art Unit</b> 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12 and 14-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to the amendment filed on 04/24/2009.
2. Claims 1, 5, 10, 14 and, 18-20 have amended.
3. Claims 4 and 13 have canceled.
4. Claims 1-3, 5-12 and, 14-20 are pending for consideration.

### ***Response to Arguments***

5. Applicant's argument with respect to the 35 U.S.C. 101 rejection has been fully considered in view of the amendment filed on 04/24/2009, which has been made in record, and the 35 U.S.C. 101 rejection has been withdrawn.
6. Applicant's arguments filed on 04/24/2009 have been fully considered but they are not persuasive.
7. Applicant argues that Asokan fails to provide a teaching of a first institution and a second institution. Examiner respectfully disagrees. Asokan does disclose the first institution and the second institution (Asokan: see page 3 and figure 1). Examiner interprets the user, his trusted personal device and the terminal is the first institution. The central server recited in Asokan reference is the second institution. Therefore Asokan does disclose the first and second institution.
8. Applicant further argues that Asokan fails to disclose using an access legitimization legitimizing access to a first institution for granting access to a second institution via a second device. Examiner respectfully disagrees. Asokan does disclose using an access legitimization legitimizing access to a first

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institution for granting access to a second institution via a second device

(Asokan: page 9 column 2, last paragraph and page 10 column 1, 1<sup>st</sup> and 2<sup>nd</sup> paragraph).

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-3, 5-12 and, 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by N. Asokan et al. (Reference U: “Authenticating public terminals”) (hereinafter Asokan).

11. Regarding claim 1, Asokan discloses receiving at the server a request for triggering the following steps (Asokan: page 863, section 3.1: when a user U walks up to an untrusted terminal, he attaches his device D to the terminal T by some means (e.g., infrared link, physical connection); and page 865-866, section 3.3); selecting a first linking information and a second linking information, the first linking information matching to the second linking information, sending from the server the first linking information to the first device and the second linking information to the second device, presenting by the first device the first linking information and by the second device the second linking information, the step of presenting being performed after the step of sending such that the first linking

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information is out put on the first device in parallel to output of the second information on the second device, entering into the first device an indication of the matching of the first linking information and the second linking information, based on the entered indication of the matching, sending to the server a matching confirmation for confirming the matching to the server, associating the first characteristic and the second characteristic based on the received matching confirmation (Asokan: page 865-866, section 3.3), for executing the linking, the server further verifying the access legitimization of the first device, based on the linking, sending a message from the server for granting access to the second institution (Asokan: see page 3 and figure 1).

12. Regarding claim 2, Asokan discloses wherein the request for linking is a request for authentication and the first device is a trusted device within said communication network, further comprising the step of stating the association by an authentication assertion (Asokan: pages 861-866: S sends a number of challenge/response pairs to the user via a confidential, authenticated channel to his home base and the user selects a different authentication vector for each challenge and sends them back to S).

13. Regarding claims 3 and 12, Asokan discloses wherein the authentication assertion is sent for granting access (Asokan: page 866).

14. Regarding claim 5, Asokan discloses wherein the second characteristic comprises an identifier identifying the second device and access to a second institution is granted to or via the second device based on the associating of the first characteristic relating to the access legitimization and the second

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characteristic comprising the identifier, the second institution being identical to or different from the first institution (Asokan: pages 865-866).

15. Regarding claims 6 and 15, Asokan discloses wherein the first linking information and the second linking information comprise one or more randomly generated symbols (Asokan: pages 865-869).

16. Regarding claims 7 and 16, Asokan discloses wherein the first linking information is identical to the second linking information (Asokan: pages 861-869).

17. Regarding claims 8 and 17, Asokan discloses wherein the associating is based on a verification for correctness of confirmation data entered into the first device (Asokan: pages 865-866).

18. Regarding claim 9, Asokan discloses wherein the entered confirmation data comprises at least one of (a) a Personal Identification Number, (b) a password, (c) an indication for additional information being presented in parallel to the first linking information or second linking information, the additional information being distinguishable from the first linking information and the second linking information, and (d) data being computed on the base of the first linking information and/or the second linking information (Asokan: pages 861-869).

19. Regarding claim 10, Asokan discloses a server usable for linking of a first characteristic of a first device and a second characteristic of a second device, the server comprising: a receiving unit for receiving messages, a transmitting unit for sending messages, and a processing unit for processing messages and information, wherein the receiving unit is adapted to receive a request for linking,

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the processing unit is adapted to be triggered by the received request for linking and to select a first linking information and a second linking information, the first linking information matching to the second linking information, the transmission unit is adapted to send the first linking information to the first device and the second linking information to the second device such that the first linking information is output on the first device in parallel to output of the second linking information on the second device, the receiving unit is adapted to receive a matching confirmation from the first device, the matching confirmation confirming to the processing unit the matching of the first linking information presented by the first device and the second linking information presented by the second device, and the processing unit is adapted to execute an associating of the first characteristic and the second characteristic based on the received matching confirmation, and for executing the linking, to further verify the access legitimization of the first device, and, based on the linking, to send via the transmission unit a message for granting access to the second institution (Asokan: pages 861-869: S sends a number of challenge/response pairs to the user via a confidential, authenticated channel to his home base and the user selects a different authentication vector for each challenge and sends them back to S).

20. Regarding claim 11, Asokan discloses wherein the server is used for authentication, the request for linking is a request for authentication and the first device is a trusted device, the processing unit being further adapted to state the association by an authentication assertion (Asokan: pages 865-869: section 3.3).

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21. Regarding claim 14, Asokan discloses wherein the second characteristic comprises an identifier identifying the second device and, based on the associating of the first characteristic relating to the access legitimization and the second characteristic comprising the identifier, the processing unit is adapted to generate an access assertion for granting to or via the second device access to a second institution being identical or different from the first institution, and the transmission unit is adapted to send the access assertion to the second device or the second institution or to an entity supporting the second device or the second institution for granting access (Asokan: pages 865-866: S sends a number of challenge/response pairs to the user via a confidential, authenticated channel to his home base and the user selects a different authentication vector for each challenge and sends them back to S).

22. Regarding claim 18, Asokan discloses responsive to a request received at the server, triggering the following steps: selecting a first linking information and a second linking information, the first linking information matching to the second linking information, initializing a sending of the first linking information to the first device and a sending of the second linking information to the second device such that the first linking information is output on the first device in parallel to output of the second linking information on the second device, and executing an associating of the first characteristic and the second characteristic based on a matching confirmation received from the first device, the matching confirmation confirming to the computer program the matching of the first linking information presented by the first device and the second linking information presented by the



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second device, and for executing the linking, further verifying the access legitimization of the first device, and, based on the linking, initializing a sending of a message for granting access to the second institution (Asokan: pages 865-869, section 3.3: S sends a number of challenge/response pairs to the user via a confidential, authenticated channel to his home base and the user selects a different authentication vector for each challenge and sends them back to S).

23. Regarding claim 19, Asokan discloses wherein the association is further based on a verification for correctness of confirmation data entered into the first device (Asokan: pages 865-866).

24. Regarding claim 20, Asokan discloses wherein said entered confirmation data includes a password (Asokan: pages 865-866).

### ***Conclusion***

25. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRANG DOAN whose telephone number is (571)272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trang Doan/  
Examiner, Art Unit 2431  
/Syed Zia/  
Primary Examiner, Art Unit 2431

